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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,234	01/23/2004	Rajnish Batlaw	5729	8486

7590

05/18/2005

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EXAMINER

MCDOWELL, SUZANNE E

ART UNIT

PAPER NUMBER

1732

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

ML
V18

Art Unit: 1732

1. The reply filed on 2/14/15 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the response does not specify the claims elected under species "a". The election filed 2/14/05 elects a DBS nucleating agent, and specifies the claims 1-22, 25-37, 39, 41, 42, 45, 46, 49, 51, 53, and 55. It appears that claims 9-12, 15, 31, 51, and 53 claim species other than DBS and should not be included in the elected claims. "Applicant is advised that a reply to this [restriction] requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election."


See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suzanne E. McDowell whose telephone number is (571) 272-1205. The examiner can normally be reached on M, W, Th 6:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianni can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SEM
May 16, 2005


SUZANNE E. MCDOWELL
PRIMARY EXAMINER